



**Trillion Partners, Inc.  
9208 Waterford Centre Blvd., Suite 150  
Austin, Texas 78758**

**December 12, 2010**

Federal Communications Commission  
Attention: Ms. Gina Spade, Deputy Division Chief  
Ms. Erica Myers, Wireline Competition Bureau  
Ms. Dana Bradford, Wireline Competition Bureau  
*Delivered via ECFS & email*

Telecommunications Access Policy Division  
445 12th Street SW  
Washington, DC 20554

Re:

Appeal  
School District: New Corp., Oceanside, CA  
Funding Year: 2009  
FRN Denied: 1905998  
Form 471 Application Denied: 694279  
Reason for Denial: Communications

Dear Gina, Erica and Dana:

On November 3, 2010, Trillion filed a Master Appeal Summary with the FCC on ECFS, as well as provided the Master Appeal Summary to you via E-Mail and in hard copy. In the Master Appeal, Trillion provides the rationale as to why USAC's mass denial of funding is without merit. Please accept this Individual appeal for New Corp., along with the Master Appeal Summary, as well as the Appeal that will be filed by the applicant, as the appeal in its totality.

### **Communications**

USAC is denying this application on the basis that

Funding Commitment Decision Explanation: DR1: The FRN will be denied because you did not conduct a fair and open competitive bidding process. The documentation provided by you and/or the service provider indicates that the school district engaged in numerous meetings, e-mail discussions, and/or verbal discussions with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process. Trillion was consulted and/or offered details about services and products you were requesting on your FCC Form 470 and/or Request for Proposal (RFP). The competitive bidding process was influenced by Trillion when they assisted you in developing your services specifications for your FCC Form 470/or RFP. You failed to conduct a fair and open competitive bidding process free from conflicts of interest.

**Trillion Value System**

**Integrity & Ethics ♦ Professionalism & Respect ♦ Customer Driven ♦ Having Fun!**

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**USAC Alleged Communication Issue:**

USAC does not point to any specific information, data or communications that have created this denial of funding.

**Communication Was Within Rules:**

Trillion has reviewed the communications that were provided to USAC by Trillion. Trillion does not see any communication that would elicit a denial by USAC. Also, since USAC has not provided any data supporting their denial, Trillion would point the FCC to the Master Appeal Summary filed with the Commission on November 3, 2010. Trillion denies USAC's allegations and fully believes that all communications were within the rules in effect at the time.

Trillion respectfully requests that this appeal be granted.

Sincerely,

Trillion Partners, Inc.

Attachments:

- Master Appeal Summary dated November 3, 2010 as previously filed on November 3, 2010 under ECFS Number 2010113403548
- Funding Decision Commitment Letter (FCDL)

Cc:

Ron Reich, Intel Capital

Peter Pitsch, Intel

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FUNDING COMMITMENT REPORT  
Service Provider Name: Trillion Partners, Inc  
SPIN: 143025872  
Funding Year: 2009

Name of Billed Entity: NEW CORP  
Billed Entity Address: 217 ESCONDIDO AVE  
Billed Entity City: VISTA  
Billed Entity State: CA  
Billed Entity Zip Code: 92084  
Billed Entity Number: 228867  
Contact Person's Name: Tom Halfaker  
Preferred Mode of Contact: EMAIL  
Contact Information: tom.halfaker@siatech.org  
Form 471 Application Number: 694279  
Funding Request Number: 1905998  
Funding Status: Not Funded  
Category of Service: Telecommunications Service  
Site Identifier: 35 00060 00893  
Form 470 Application Number: 108020000653891  
Contract Number: SA-010808-000960  
Billing Account Number: N/A  
Service Start Date: 07/01/2009  
Contract Expiration Date: 06/30/2013  
Number of Months Recurring Service Provided in Funding Year: 12  
Annual Pre-Discount Amount for Eligible Recurring Charges: \$3,838.08  
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$.00  
Pre-Discount Amount: \$3,838.08  
Applicant's Discount Percentage Approved by SLD: 90%  
Funding Commitment Decision: \$.00 - Selective - Bidding Violation  
Funding Commitment Decision Explanation: DR1: The FRN will be denied because you did not conduct a fair and open competitive bidding process. The documentation provided by you and/or the service provider indicates that the school district engaged in numerous meetings, e-mail discussions, and/or verbal discussions with Trillion employees prior to the posting of the Form 470 and throughout the competitive bidding process which tainted the competitive bidding process. Trillion was consulted and/or offered details about services and products you were requesting on your FCC Form 470 and/or Request for Proposal (RFP). The competitive bidding process was influenced by Trillion when they assisted you in developing your services specifications for your FCC Form 470/or RFP. You failed to conduct a fair and open competitive bidding process free from conflicts of interest.

FCDL Date: 10/20/2010

Wave Number: 070

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2011